

REMARKS

The Final Office Action mailed January 5, 2011, has been received and carefully noted. Claims 18-35 were presented and examined. Claims 1-17 were previously cancelled.

The claims are amended as set forth above. Entry of the amendments is requested. Support for the amendments can be found in the Specification as filed. No new matter has been added.

Favorable reconsideration of the pending claims is respectfully requested in view of the amendments and the following comments.

I. Claims Rejected Under 35 U.S.C. §103

Claims 18, 19, 21, 27, 28, and 30 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,051,325 issued to Choi ("Choi") in view of U.S. Patent Publication No. 2003/0219081 to Sheehan ("Sheehan"). The Applicants respectfully request withdrawal of this rejection because the claims are not obvious in view of Choi and Sheehan. To establish a *prima facie* case of obviousness, the Examiner must provide some articulated reasoning to support the conclusion of obviousness. KSR International Co. v. Teleflex Inc., 550 U.S. 398, 418 (2007) (quoting In re Kahn, 441 F.3d 977, 988 (Fed. Cir. 2006)).

Amended independent claims 18 and 27 recite, among other elements, "the kind of downloadable data includes a middleware module for accessing a mobile terminal." The amendment to claims 18 and 27 incorporates limitations previously recited in dependent claims 20 and 29, respectively. The Examiner concedes that Choi and Sheehan does not teach "a middleware module for accessing a mobile terminal," but cites paragraphs [0002], [0044], and [0091] of U.S. Publication No. 2004/0016002 to Handelman ("Handelman") as teaching these elements. See Office Action pages 8, 10, and 11. The Examiner argues that Handelman teaches this limitation because Handelman discloses that downloaded reconfiguration data is used for appliances such as a cellular phone. The Examiner further states that it would have been obvious to modify Choi and Sheehan by accessing a mobile terminal as taught by Handelman in order to upgrade consumer appliances to access different terminals connected to the appliances.

Handelman teaches a method for reconfiguring a configurable hardware device in a user unit at a consumer site from a remote site via a communication network. See Abstract and paragraph [0003]. The user unit may include a set-top box (STB) and may function as a server for serving appliances, such as a computer and a cellular telephone. See paragraphs [0002], [0044], [0052], [0070], and [0091]. The appliances communicate with the configurable hardware device via a modem and a communication network to use the circuit reconfiguration. See paragraphs [0091] and [0125]-[0127]. The circuit reconfiguration enables the configurable hardware device to perform complex mathematical computations, such as those performed by a digital signal processing (DSP) accelerator, a DES/AES (DES – Data Encryption Standard, AES – Advanced Encryption Standard) supporter, a camera effects controller, a circuit configuration designed to support an operating system (OS), a graphic accelerator, and a modular arithmetic accelerator. See paragraphs [0092], [0094], [0119]-[0122], and [0125]-[0127].

Although Handelman's system is capable of accessing a mobile terminal, Handelman does not teach or suggest that the downloaded circuit reconfiguration is used to access the mobile terminal. Rather, the circuit reconfiguration enables the configurable hardware device of Handelman to perform complex mathematical computations, including at least one of those mentioned above. Furthermore, Handelman suggests that communication with a mobile terminal is already established to allow the mobile terminal to use the downloaded circuit reconfiguration. See paragraphs [0091] and [0127]. Thus, Handelman does not teach “the kind of downloadable data includes a middleware module for accessing a mobile terminal,” as recited in claims 18 and 27.

For at least the above reasons, Choi, Sheehan, and Handelman fail to teach each and every element of claims 18 and 27. Claims 19, 21, 28, and 30 depend from independent claims 18 and 27 and thus incorporate the respective limitations thereof. Therefore, claims 18, 19, 21, 27, 28, and 30 are not obvious in view of the combination of Choi, Sheehan, and Handelman. Accordingly, reconsideration and withdrawal of the rejection of these claims are respectfully requested.

Claims 20, 23, 24, 26, 29, 32, 33, and 35 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Choi in view of Sheehan as applied to claims 18 and 27 above, and further in

view of Handelman. These claims depend from independent claims 18 and 27 and thus incorporate the respective limitations thereof. For at least the reasons mentioned above in regard to claims 18 and 27, these claims are not obvious over the cited references. Accordingly, reconsideration and withdrawal of the rejection of these claims are respectfully requested.

Claims 22 and 31 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Choi in view of Sheehan and Handelman as applied to claims 20 and 29 above, and further in view of U.S. Patent No. 6,078,951 issued to Pashupathy (“Pashupathy”). Claims 22 and 31 depend from independent claims 18 and 27 and thus incorporate the respective limitations thereof. The Applicants do not discern and the Examiner does not indicate any part of Pashupathy that cures the aforementioned deficiencies of Choi, Sheehan, and Handelman. For at least the reasons mentioned in regard to claims 18 and 27, claims 22 and 31 are not obvious over the cited references. Accordingly, reconsideration and withdrawal of the rejection of claims 22 and 31 are respectfully requested.

Claims 25 and 34 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Choi in view of Sheehan and Handelman as applied to claims 23 and 32 above, and further in view of U.S. Publication No. 2004/0123332 to Hanson (“Hanson”). Claims 25 and 34 depend from independent claims 18 and 27 and thus incorporate the respective limitations thereof. The Applicants do not discern and the Examiner does not indicate any part of Hanson that cures the aforementioned deficiencies of Choi, Sheehan, and Handelman. For at least the reasons mentioned above in regard to claims 18 and 27, claims 25 and 34 are not obvious over the cited references. Accordingly, reconsideration and withdrawal of the rejection of claims 25 and 24 are respectfully requested.

CONCLUSION

In view of the foregoing, it is believed that all claims now pending (1) are in proper form, (2) are neither obvious nor anticipated by the relied upon art of record, and (3) are in condition for allowance. A Notice of Allowance is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (310) 207-3800.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly, extension of time fees.

Respectfully submitted,

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By: _____

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CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being submitted electronically via EFS Web to the United States Patent and Trademark Office.

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March 4, 2011